

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

INACOM CORP., et al.

Plaintiffs

v.

Civil Action No. 04-CV-148 (GMS)

TECH DATA CORP.

Defendant

INACOM CORP., et al.

Plaintiffs

v.

Civil Action No. 04-CV-582 (GMS)

DELL COMPUTER CORP.

Defendant

INACOM CORP., et al.

Plaintiffs

v.

Civil Action No. 04-CV-583 (GMS)

LEXMARK INTERNATIONAL, INC.

Defendant

36
Dkt. No. _____
Dt. Filed 5/10/05

INACOM CORP., et al.

Plaintiffs

v.

Civil Action No. 04-CV-593 (GMS)

INGRAM ENTERTAINMENT INC.

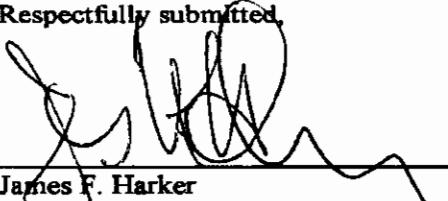
Defendant

**DEFENDANTS' MOTION FOR THE COURT TO CONSOLIDATE
FOR TRIAL, PURSUANT TO FRCP 42(a), FOUR ACTIONS PENDING
ON THE COURT'S DOCKET**

Defendants Tech Data Corp., Dell Computer Corp., Lexmark International, Inc. and Ingram Entertainment Inc. move the Court, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, to consolidate for trial the four actions referenced in the caption of this motion on the grounds that the actions involve common questions of law and fact, and consolidation will result in a savings of the Court's time and the litigants' time and money. A memorandum of law in support of the motion has been tendered.

Dated: May 10, 2005

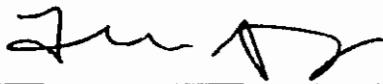
Respectfully submitted,


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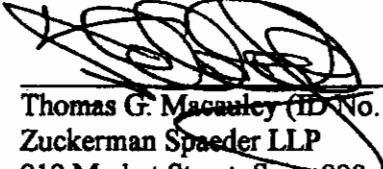


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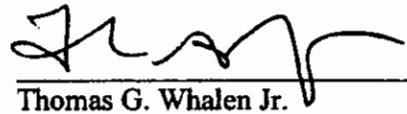
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CERTIFICATION OF COUNSEL FOR LEXMARK

Pursuant to Rule 7.1.1 of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware, I hereby certify that counsel for Defendant Lexmark International, Inc. has made a reasonable effort to reach agreement with opposing attorneys on the matters set forth in the motion, and has been unable to reach such agreement.

Dated: May 10, 2005



Thomas G. Whalen Jr.

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LEXMARK INTERNATIONAL, INC.

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INACOM CORP., et al.

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Civil Action No. 04-CV-593 (GMS)

INGRAM ENTERTAINMENT INC.

Defendant

**ORDER GRANTING DEFENDANTS' MOTION FOR THE COURT TO
CONSOLIDATE FOR TRIAL, PURSUANT TO FRCP 42(a), FOUR
ACTIONS PENDING ON THE COURT'S DOCKET**

Upon the motion of Defendants Tech Data Corp., Dell Computer Corp., Lexmark International, Inc. and Ingram Entertainment Inc. (collectively "Defendants") to consolidate for trial, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the four actions referenced in the caption, the Court being duly and sufficiently advised,

IT IS ORDERED that Defendants' motion to consolidate is granted.

Dated: _____, 2005.

Gregory M. Sleet, Judge
United States District Court
District of Delaware

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CERTIFICATE OF SERVICE

Thomas G. Whalen, Jr. hereby certifies that on May 10, 2005 a true and correct copy of the foregoing ***DEFENDANTS' MOTION FOR THE COURT TO CONSOLIDATE FOR TRIAL, PURSUANT TO FRCP 42(a), FOUR ACTIONS PENDING ON THE COURT'S DOCKET*** was served upon the following counsel of record, each via regular United States first class mail:

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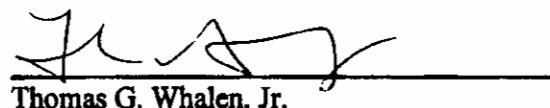
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